APPENDIX

The following are those portions of the Constitution of Wyoming and the Revised Statutes of Wyoming, 1931, which have a material bearing upon the questions under discussion:

ARTICLE VIII, Section 1, Constitution of Wyoming: "The water of all natural streams, springs, lakes or other collections of still water, within the boundaries of the state, are hereby declared to be the property of the state."

ARTICLE VIII, Section 2, Constitution of Wyoming: "There shall be constituted a board of control, to be composed of the state engineer and superintendents of the water divisions; which shall, under such regulations as may be prescribed by law, have the supervision of the waters of the state and of their appropriation, distribution and diversion, and of the various officers connected therewith. Its decisions to be subject to review by the courts of the state."

ARTICLE VIII, Section 4, Constitution of Wyoming: "The legislature shall by law divide the state into four (4) water divisions, and provide for the appointment of superintendents thereof."

Chapter 26, Section 2, Session Laws of Wyoming, 1933 (Special Session), amending Section 122-302, Revised Statutes of Wyoming, 1931:

"The governor shall appoint one water commissioner for each water district, who shall be selected from persons recommended by the superintendent of the water division in which such water district is situated with the advice and approval of the Board of County Commissioners of the county or counties, lying wholly or partly within such water district. Each commis-

sioner shall hold his office until his successor is appointed and shall have qualified, and the governor shall, by like selection and apointment, fill all vacancies which shall occur in the office of water commissioners, and may, at any time, remove any water commissioner for failure to perform his duties as such water commissioner."

Section 122-203, Revised Statutes of Wyoming, 1931:

"Said division superintendent shall have general control over the water commissioners of the several districts within his division. He shall, under the general supervision of the state engineer, execute the law relative to the distribution of water in accordance with the rights of priority of appropriation, and perform such other functions as may be assigned to him by the state engineer. It shall be the duty of said division superintendent to regulate and control the storage and use of water under all rights of appropriation which have been adjudicated by the board of control or by the courts, and to regulate and control the storage and use of water under all permits approved by the state engineer, whether the rights acquired thereunder have been adjudicated or not."